

**ADVISORY COMMITTEE RECOMMENDATIONS
FOR THE
TOWN OF FOXBOROUGH'S
SPECIAL TOWN MEETING**

January 30th, 2023

Foxborough Advisory Committee

Mission Statement

The Foxborough Advisory Committee is responsible for providing recommendations to the Town residents on department budgets and Town Warrant articles as part of the Town Meeting process. In preparation for Town Meeting, the Advisory Committee reviews each department's budget and researches all Warrant Articles. This is done by meeting with each department head, holding public meetings for discussion and question opportunities, and thoroughly researching each of the topics. Following this process, the committee then takes a vote and collectively puts forth a recommendation to the town residents at the Town Meeting.

Members

Term Expires

Daniel Peterson (Chairman)	June 2023
Michael Brown (Vice Chairman)	June 2024
Sharon E. Weiskerger	June 2023
John T. Mahoney	June 2023
Marlowe Farrar	June 2024
Raffaella Zizza-Feinstein	June 2024
Kevin Mack	June 2025
Paul Hainsworth	June 2025

SUMMARY OF TOWN WARRANT RECOMMENDATIONS
SPECIAL TOWN MEETING
January 30, 2023

<u>Article No.</u>	<u>Article (Advisory Committee Presenter)</u>	<u>Recommendation</u>
Article 1	Select Board Amendment (Weiskerger)	Approval
Article 2	Rename Booth 1 to Bayuk Field (Farrar)	Approval
Article 3	Establish Adopt/Re-Adopt Qualified OPEB Trust (Feinstein)	Approval
Article 4	Fund Qualified OPEB Trust (Feinstein)	Approval
Article 5	Transfer to Stabilization Fund (Farrar)	Approval
Article 6	Transfer from Fire Stabilization Fund (Mahoney)	Approval
Article 7	CIP Budget Acceptance (Mahoney)	Approval
Article 8	DPW Building and Site Renovation Project (Brown)	Approval
Article 9	Electronic Billboards (Peterson)	Approval

ARTICLE 1: Select Board Amendment

Board of Selectmen

THE ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 1:
VOTE OF 7-0-0

The purpose of this article is to vote to authorize the Board of Selectmen to petition the Massachusetts General Court pursuant to Section 8 of the Home Rule Amendment to the Constitution of the Commonwealth of Massachusetts to strike out the words “Board of Selectmen”, “Selectmen” or “BOS” wherever they appear in the title or body of said Acts and inserting in place thereof the words “Select Board”; further, subject to, in furtherance of, and consistent with said legislative amendments, to amend the Foxborough General Bylaws by substituting the term “Select Board” for “Board of Selectmen” and “Selectmen” wherever they appear in said General Bylaws and by adding the following sentence to the end of Chapter 35, §35-2.B.(3) : “For purposes of these bylaws, the Select Board shall assume and retain the status of the formerly designated Board of Selectmen and shall assume all powers and duties vested in a board of selectmen by general or special law, home rule charter, these bylaws or other applicable authority.”; and, further, to amend the Zoning Bylaws by substituting the term “Select Board” for “Board of Selectmen” and “Selectmen” wherever they appear in said Zoning Bylaws; or to take any other action related thereto.

The Advisory Committee recommends this article for approval.

ARTICLE 2: Rename Booth 1 to Bayuk Field

Board of Recreation

THE ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 2:
VOTE OF 7-0-0

Stewart “Stu” Bayuk who died in December 2019, was a founder of and involved with the Foxboro Youth Baseball and Softball Association for two decades. That association and the Recreation Department recommend renaming Booth Field 1 to ‘Bayuk Field’ in memory of Stu.

The naming procedure defined in the Board of Selectmen’s “Naming Public Asset Policy requires approval by Town Meeting.

The Advisory Committee recommends this article for approval.

ARTICLE 3: Establish Adopt/Re-Adopt Qualified OPEB Trust

Board of Selectmen

THE ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 3:
VOTE OF 7-0-0

The purpose of this article is to see if the Town will adopt/re-adopt the OPEB Trust that was established under Section 20 of Chapter 32B of the Massachusetts General Laws, as amended by Section 15 of Chapter 218 of the Acts of 2016, establishing an Other Post-Employment Benefits Liability Trust. This authorized the Board of Selectmen and Treasurer to execute a declaration of trust creating an expandable trust for the purpose of holdings monies appropriated to such fund; to designate the Treasurer as the Trustee of this trust; to authorize the transfer of any and all monies

currently held for the purpose of paying retiree health and life benefits to the trust; and to authorize the trustee to invest and reinvest the monies.

At the time of adoption, the Town did not adopt the language of The Prudent Investor Rule established under 203C of the Massachusetts General Laws. Adopting The Prudent Investor Rule would allow our investor to expand our portfolio and invest in Private Equities Real Estate according to the provisions of the G.L.C. 203C.

The Advisory Committee recommends this article for approval.

ARTICLE 4: Fund Qualified OPEB Trust **Board of Selectmen**
THE ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 4:
VOTE OF 7-0-0

The purpose of the article is for the Town to appropriate the amount of \$1,064,069 monies to be paid into the Other Post-Employment Benefits (OPEB) Liability Trust Fund. This is the second and last catch-up payment delayed by the pandemic. This money is used towards the unfunded actuarial liability of health care and post-employment benefits for the Town of Foxborough retirees.

The Advisory Committee recommends this article for approval.

ARTICLE 5: Stabilization Fund **Board of Selectmen**
THE ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 5:
VOTE OF 7-0-0

The Stabilization fund, aka, 'Rainy Day' fund, is a mechanism for the town to set aside money either for unforeseen needs or for capital projects. The funds may be used for 'any lawful municipal purpose', enabling communities to use the funds for general operating expenses if needed. Transfers in and out of these funds must be approved by Town Meeting.

The Town intends to maintain the primary Stabilization Fund in an amount equivalent to no less than 5% of the General Fund Operating Budget. As of June 30th, 2022, the Stabilization Fund contained \$4,230,897, which was 5.29% of the General Fund Operating Budget.

This warrant Article developed by the Select Board transfers a sum of money from available funds in the General Stabilization Fund.

The Advisory Committee recommends this article for approval.

ARTICLE 6: Transfer from Fire Stabilization

Board of Selectmen

THE ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 6:
VOTE OF 7-0-0

The purpose of this article is to transfer from the Fire Stabilization Fund \$50,000 to be used by the Fire Department to fund a portion of the wages for the Department's apparatus mechanic. This person will generate revenue from non-Foxboro Fire Departments by repairing their equipment. The expectation by the Fire Chief is that due to demand of this service, this portion of their wages will be level funded at minimum if not bring back a surplus for the fund.

The Advisory Committee recommends this article for approval.

ARTICLE 7: CIP Budget Request

Board of Selectmen

THE ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 7:
VOTE OF 7-0-0

This Budget was developed by the Capital Improvement Planning (CIP) Committee and approved by the Board of Selectmen. The CIP Committee is responsible for reviewing spending requests for major, non-recurring tangible assets, including vehicles and equipment, which have a useful lifespan of at least 5 years AND cost over \$25,000.

The total budgeted amount for Capital expenditures is \$412,994, with \$337,844 coming from Free Cash, and \$75,150 from Ambulance Receipts. Warrant Schedule A contains a summary of the individual departmental expenditures, description of assets, costs, and the funding sources.

Further Details:

Replace Fire Department Staff Vehicle:

The Fire Department seeks a new 2022 Ford Expedition to be equipped with emergency lighting and a computerized command and communications module. This vehicle would be intended for senior Fire Department officials to respond to and direct emergency situations. This purchase would replace an older vehicle with significant wear and tear and lacking the command and communications equipment the new vehicle would have. The purchase would come from the Town's Ambulance fund.

Replace Public Safety Building Garage Doors:

Foxboro's joint public safety building was completed [2007 YEAR???], or about 16 years ago. In recent years, the garage bay doors have been suffering regular and sudden mechanical failures. The frequency and expense of repairing the current doors has increased and lead times and availability of replacement parts has become challenging. Chief Kelleher has reported the doors have had mechanical issues while vehicles were dispatching to emergencies. The Fire Chief wishes to avoid the possibility of a delay which could result in danger to the town. This project will replace all garage door openers and mechanisms but will only replace the front doors as the rear doors are used less and are still in serviceable condition.

Of note, there will be a slight aesthetic change to the building as the new doors will feature less glass, and instead will have insulated panels providing better weather sealing.

Demolition of Laundry Building:

The town had previously approved funding to demolish what is known as the laundry building of the former state hospital located at Payson Field. When placed out for bidding, the previously allotted amount was insufficient as economic circumstances have increased the cost of demolition and disposal of materials. The Town is now seeking additional funding to secure competitive bidding for the job.

The town wishes to move forward in the demolition to remove a dangerous eyesore, which requires regular inspection and reapplication of security barriers, and to clear the site for possible use.

Replacement Taser Program:

The Police Department is requesting replacement of all their Tasers. The current tasers are over 5 years old and have exceeded their lifespan and are no longer recommended for active duty. Chief Grace seeks the new tasers to allow reliable less-lethal force options in confrontations and to comply with current laws and best practices and maintain police certifications. Additionally, the newest models have additional features including prongs that are more likely to attach to their target and computerized record keeping systems that will allow the department to keep track of and report device activations. The tasers have a 5-year rated lifespan and the Foxboro PD may return in 5 years to request another new set of tasers at that point.

The Advisory Committee recommends approval of the Capital Improvement Planning Budget specifically, the above 4 items.

ARTICLE 8: DPW Building and Site Renovation Project Board of Selectmen

ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 8:

VOTE OF 7-0-0

Article 8 requests allotting \$800,000 to pay for architectural and engineering plans, including construction estimates, for the renovation and improvement of the DPW facilities at 70 Elm St. Deficiencies at the facilities relate to the vehicle and equipment maintenance and wash capabilities, storm drainage and property grading, the fuel depot and existing building. The proposal includes an expansion of the facilities to accommodate the maintenance of vehicles and equipment. The extent of the deficiencies was clearly detailed to the Advisory Committee.

The Advisory Committee recommends this article for approval.

ARTICLE 9: Electronic Billboards

Citizens Petition

**ADVISORY COMMITTEE RECOMMENDS APPROVAL OF ARTICLE 9:
VOTE OF 7-0-0**

This warrant article is another attempt at the Bylaw change from Annual Town Meeting 2022 with stricter provisions. This article seeks to place a Billboard viewable from Rt. 95 located in a specific zone of town located off Dump Hill Road.

The Advisory Committee recommends this article for approval.

Major Points:

- Stripped last warrant language of DPW site billboard.
- Extended range between billboards from 350 ft to 1000 ft to the closest residence.
- Included language to ensure there can be no further billboard installations without a further Bylaw change.
- Town Mitigation Costs would be equal to or over \$25,000 per side per year with a proposed 20-year lease.
- Allows for up to 6 hours of community messaging per month.
- No town input over billboard message content per the 1st Amendment
- Per company guidelines, no advertising of tobacco, Political Action Funds, Pro-Life/Abortion Ads, or adult content or promotion.
- Per independent study, no detectable difference in ambient lighting for the area.

Arguments in Favor of Recommending the Warrant:

Expected revenue for town from the one double-sided electronic billboard driving this proposal will be \$50,000 per year for 20 years, with exact terms to be negotiated by the Select Board. Due to location next to Route 95, there is minimal impact to Foxboro homeowners. If the proposed billboard is installed, there would only be 2 additional sites that could potentially satisfy the restrictions in the revised bylaw, so this would not “open the floodgates” and allow a long row of billboards along the section of Route 95 passing through Foxboro. Also, under the proposed mitigation agreement, Foxboro will be able to post municipal announcements as well as Amber and Silver alerts on the proposed billboard.

Arguments Against Recommending of the Warrant:

Even a single billboard (electronic or static) will permanently change the appearance of the section of Route 95 passing through Foxboro, which currently has no billboards and very little commercial signage visible from Route 95. Advertising on the one electronic billboard initially proposed will not include tobacco ads or adult content due to the advertiser’s policy; however, this is not guaranteed if the advertiser’s policy changes, or for future billboards that are allowed by the proposed bylaw change.